

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MEMORANDUM ORDER

Mark Cifuentes ("Cifuentes") has filed a self-prepared 42 U.S.C. §1983¹ Complaint against Cook County Sheriff Thomas Dart and a number of defendants associated with the Cook County Jail--"self-prepared" in the sense that Cifuentes has used the form of Complaint provided by this District Court's Clerk's Office for use by persons in custody, filling in the requested information in hand-printed form. Cifuentes has accompanied the Complaint with an In Forma Pauperis Application ("Application"), also using a Clerk's-Office-provided form, together with a hand-printed Motion for Appointment of Counsel ("Motion"). This sua sponte memorandum order dismisses both the Complaint and this action--though without prejudice--and accordingly denies the Application and Motion as moot.

Because Cifuentes' grievance relates to "prison conditions" within the meaning of Section 1997e(a), Congress has established

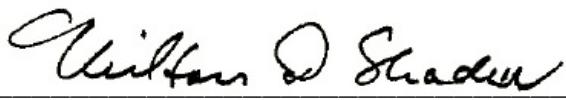
¹ All further references to Title 42's provisions will simply take the form "Section--."

this precondition to his institution of this litigation:

No action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted.

But the Complaint is totally silent on that score, giving no indication that Cifuentes has (as Congress requires) either initiated or pursued any such administrative remedies.

As stated at the outset, then, Section 1997e(a) and 28 U.S.C. §1915A(b) mandate the dismissal of this action without prejudice. This Court so orders.



Milton I. Shadur
Senior United States District Judge

Date: July 14, 2009